THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No. 13408 of 2007
Date: 28-06-2007

Between:
B.Rama Krishna Reddy and others

Petitioners

And
The State of Andhra Pradesh,
rep. by it's Principal Secretary to Revenue
Department, Secretariat, Hyderabad and others

Respondents

THE HONOURABLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.No. 13408 of 2007

ORDER:

1. The writ petition has been instituted as the petitioners apprehend grave danger of eviction at the hands of the 4th respondent-Tahsildar, Giddalur, Prakasam District.

2. It is not in dispute that the 4th respondent has issued a show cause notice in accordance with Rule (3) of the Andhra Pradesh Assigned Lands (Prohibition of Alienations) Rules 2007 seeking explanation of the writ petitioners as to why they should not be evicted from the lands mentioned in the schedule of the said notice dated 14-04-2007, as the 4th respondent believes that these lands are assigned lands which are incapable of being alienated in any manner by the assignees and the writ petitioners not being the assignees, they cannot continue in possession of such lands. The assertion of the writ petitioners is that they have shown appropriate cause by filing a detailed reply on 9th June,2007 indicating as to how the lands in question are liable to be occupied by them. The writ petitioners assert that no final orders are passed by the 4th respondent in pursuance of the show cause notice dated 14-04-2007 referred to supra. Without finalizing and determining the nature of the lands in possession of the writ petitioners, their

possession could not have been objected to by the 4th respondent – Tahsildar.

3. Heard the Government Pleader for Revenue, who informs the court that the apprehension entertained by the writ petitioners is imaginary and the 4th respondent is not taking any steps to interfere with their possession without finalizing the proceedings.

4. Therefore, it is appropriate that the 4th respondent shall finalise the proceedings within a period of two months from the date of receipt of a copy of this order. It is needless to observe that the 4th respondent would comply with the requirements of law strictly and principles of natural justice before finalizing the proceedings.

5. With this, the writ petition stands disposed of. No order as to costs.

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NOOTY RAMAMOHANA RAO,J

28-06-2007
Note: C.C. in three days.
B/o.
Stp